

## **V. COORDINATION AND CONSULTATION**

### **A. FEDERAL, STATE AND LOCAL AGENCY COORDINATION**

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Coordination with the regulatory and resource agencies occurred throughout this study. The most notable formats for agency coordination were the scoping and early coordination letters, the international stakeholder coordination meetings, presentations and discussions at MDOT's monthly interagency coordination meetings, and meetings with local and regional entities. Coordination and consultation was performed with NBDOT and the CCRA throughout the study.

#### **1. Scoping and Early Coordination**

At the beginning of the study, scoping and early coordination letters were mailed to 38 federal, state, and local agencies and special interest groups in accordance with the procedural provisions of NEPA and the FHWA's, GSA's, and MDOT's requirements and policies for early coordination. Letters, accompanied by a map of the Study Area, description of the Purpose and Needs of the action, and outline of the study to be performed, were mailed in February 2000 to notify them of the study to be performed, request specific information, and encourage participation in the study by identifying areas of initial concern (Table V-1, page V-6). Copies of responses received are included at the end of this section. No key resources or issues of primary concern were identified.

#### **2. International Stakeholder Coordination Meetings**

Given the unique nature of the study, coordination and consultation was performed with key international stakeholders from both countries. The key stakeholders involved in this study in the United States are MDOT, the FHWA, the GSA, U.S. Customs Service, U.S. Immigration and Naturalization Service, and the U.S. Border Patrol. The key international stakeholders involved in this study in New Brunswick are: the NBDOT, Transport Canada, the CCRA, and Citizenship and Immigration Canada.

- The first international stakeholders' meeting was held on July 14, 1999 in Bangor, Maine. Topics discussed at this meeting included the various environmental and planning processes used by these stakeholders for approval, procedural and administrative issues, scheduling and sequencing activities, funding and staffing requirements, environmental features, traffic, and socioeconomic issues.
- The second international stakeholders' meeting was held on December 5, 2000 in Fredericton, New Brunswick. The purpose of the meeting was to review and discuss the items and activities performed in both countries since July 1999, and the activities to be performed in both countries leading to location approval and the start of final design. For the portion of the study in Maine, the needs of the study and its purpose, the range of alternatives considered, preliminary alternatives analysis and

screening, and alternatives dismissed from further consideration were reviewed. Other topics discussed included the future disposition of the Milltown crossing, funding, permitting, and future schedule and sequencing activities.

Representatives from the PAC, Calais, and Baileyville attended these meetings.

### **3. Interagency Coordination Meetings**

This study was presented on three occasions to the federal and state regulatory and resource agencies that attend MDOT's monthly interagency coordination meetings.

- On April 10, 2000, the study Purpose, Needs, and natural resource and social environmental features were presented. The agencies in attendance concurred with the information presented.
- On July 11, 2000, the range of reasonable alternatives considered, a preliminary alternatives analysis and screening, and the alternatives retained for further consideration were presented. The agencies in attendance concurred with the information presented.
- On July 12, 2001, a shift in the location of Alternative 2A was presented. Alternative 2A was shifted approximately 396 m (1300 ft.) to the north and west (upstream) to avoid direct impacts to the Butler Islands at the request of the Passamoquoddy Tribe, reduce wetland and floodplain impacts in New Brunswick, and cross the St. Croix River at a narrower location, thus reducing the length of the bridge over the river. The estimated savings in construction cost to both MDOT and NBDOT is approximately three million dollars. It was acknowledged that the shift in Alternative 2A would increase impacts to wetlands in Maine from approximately 1.0 ha (2.5 ac.) to 1.2 ha (2.9 ac.).

### **4. Meetings with Local or Other Regional Entities**

A coordination meeting was held with the Sunrise County Economic Council in April 2000. The purpose of the meeting was to review the Purpose of the study, the Needs, the alternatives analysis process, and the range of potential impacts to be considered once preliminary alternatives were developed.

At the request of the CRCOC, MDOT presented an overview of the study to date and the activities to be performed to the CRCOC on October 26, 2000.

A meeting was held on April 17, 2001 with Governor Richard Doyle of the Passamoquoddy Tribe. The purpose of the meeting was to review the activities that had been performed during the study to date including its' Purpose, Needs, natural resource and social environment features, the range of reasonable alternatives con-

sidered, a preliminary alternatives analysis and screening, the alternatives retained for further consideration, and the public involvement and agency coordination programs.

From this meeting, two concerns of the Passamaquoddy Tribe were identified:

- The need for the tribe to be able to continue to access the St. Croix River, including its waters, riparian habitats, and islands. This includes the Butler Islands, and other Canadian lands under claim by the tribe, but beyond the jurisdiction of the FHWA, MDOT, and GSA.
- The need for a means of informing the travelling public at the border crossing of the locations and attractions of the tribal lands of the Pleasant Point Passamaquoddy Indian Tribe.

## **B. PUBLIC INVOLVEMENT**

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Public participation was initiated early in the study to incorporate public comments and concerns into the development and analysis of the study needs, purpose, range of reasonable alternatives, potential resultant environmental impacts, and the development of conceptual mitigation measures. Public participation continued throughout the study. The public involvement program included three primary components: the meetings of the PAC, two public meetings, and a study web site.

### **1. Public Advisory Committee**

At the beginning of the study, in consultation with Calais and Baileyville, a PAC, consisting of officials and representatives from Calais, Baring, Baileyville, the Maine Citizens for Increased Jobs, the Quoddy Regional Land Trust, business owners in Baring and Calais, and private citizens, was formed (Appendix A). The purpose of the PAC was to participate in the study by meeting periodically with the MDOT, FHWA, and GSA, and providing guidance about local issues and concerns. The PAC meetings were working sessions open to the public and included time for questions and answers from the public at the end of each meeting. Nine PAC meetings were held prior to the circulation of the DEA.

- An initial organizational meeting of the PAC was held on December 1, 1999. The purposes of the meeting were to introduce the study team participants, review the scope of the studies to be performed and the NEPA process that will guide the study, the role of the PAC, and the scope of the public involvement program for the study.
- The second PAC meeting was held on February 16, 2000. The purposes of this meeting were to review the requirements to be considered when forming study purpose and needs, a review the perceived needs for the study, and to brainstorm critical goals and objectives of the PAC.

- The purposes of the third PAC meeting on April 26, 2000 were to review and prioritize goals and objectives identified at the February meeting, discuss the historical traffic data, present and discuss environmental features, and identify and discuss a preliminary range of reasonable alternatives to be considered.
- The purpose of the fourth PAC meeting on June 28, 2000, was to review the information received at the first public meeting and review the range of reasonable alternatives considered. Consensus was reached on the dismissal of alternatives from further consideration.
- The fifth PAC meeting on September 13, 2000, was held to review the results of the interagency coordination meeting on July 11, the status of traffic forecasts and analysis, the interim results of the freight delay study, and the preliminary results of the economic impact surveys of businesses and customers.
- The sixth PAC meeting was held on December 6, 2000. The purposes of the meeting included reviewing the results of the second international stakeholders meeting, MDOT's business and customer intercept surveys, the freight delay study, changes to conceptual design of alternatives retained for further consideration, and trucker survey.
- The seventh PAC meeting was held on March 14, 2001. The results of the second public meeting and the changes to the conceptual design of Alternative 3 were discussed. Also presented were: the results of the traffic forecasts and analysis, a summary of the indirect economic impact of the two build alternatives retained for further consideration, and secondary impacts.
- The eighth PAC meeting was held on May 23, 2001 and included a discussion of the changes to the alternatives retained for further consideration, the results of the coordination meeting with the Passamaquoddy Tribe, a review of the preliminary cost estimates, continued discussion of secondary impacts and comparative discussion of the two build alternatives retained for further consideration.
- The ninth PAC meeting was held on July 17, 2001. The purpose of the meeting was to provide the results of a peer review of the economic impact analysis and other select elements of the study by Charles S. Colgan, former State Economist and current Chair of the graduate program in Community Planning and Development, Edmund Muskie School of Public Service, University of Southern Maine.

## **2. Public Information Meetings**

Two public meetings were held during the study and preparation of the DEA.

A Public Informational and Scoping Meeting was held on April 26, 2000; approximately 50 people attended the meeting. The public informational and scoping

meeting consisted of an overview of the study and questions from the public. The presentation included an introduction of the study team and PAC members, an overview of the study to be performed, a review of the NEPA process and how it will guide this study, the needs being considered, the purpose of the study, and a review of the 12 goals and objectives identified by the PAC. The opportunities for further public involvement were identified. A question and answer session was held.

The second public meeting was held on December 6, 2000; approximately 100 people attended the meeting. The presentation included a review of study Purpose and Needs, the range of reasonable alternatives considered, and the reasons alternatives were dismissed or retained for further consideration. The meeting included a question and answer session, plans display before and after the meeting, and a comment form.

### **3. Web Site**

A study- specific web site, [www.nbdot-mdot-bordercross.com](http://www.nbdot-mdot-bordercross.com), was developed early in the study and updated frequently. The web site included a home page, a news and announcements page, a study overview, study background, frequently asked questions, an interactive location map, a publications page where documents in support of the DEA were placed as they were produced, a links page, and a glossary. Minutes of the PAC and public meetings were placed on the web site shortly after each meeting. The web site included an online form to submit comments to the study team. Web site updates were sent via e-mail to those that subscribed for updates.

**Table V-1, Summary of Early Coordination Letters**

Agency/Organization	Information Requested	Information Received
U.S. Department of State	Information on Presidential Permit requirements, application process, and an application	May 1, 2000 - information on Presidential Permit process along the Mexican Border
U.S. Army Corps of Engineers	General letter requesting comments	No response received
U.S. Coast Guard	Bridge jurisdiction and interest	May 22, 2000 - Bridge over St. Croix River is subject to Coast Guard jurisdiction. Address navigation in EA.
U.S. Fish and Wildlife Service	Federally-listed or proposed threatened or endangered species or known critical habitats in the study area	May 22, 2000 - Federally threatened bald eagle is known to nest in the study area
U.S. Department of Agriculture (USDA Forest Service)	General letter requesting comments	No response received
U.S. Department of Agriculture Maine State Office	General letter requesting comments	No response received
USDA -Natural Resources Conservation Service - Washington County	General letter requesting comments	April 26, 2000 - expressed an interest in the farmlands section of the baseline study and offered their assistance
U.S. Department of the Interior, National Park Service	General letter requesting comments	No response received
U.S. Department of the Interior, Office of Environmental Policy and Compliance	General letter requesting comments	No response received
U.S. Environmental Protection Agency	General letter requesting comments	No response received
National Marine Fisheries Service of the U.S. Department of Commerce	General letter requesting comments	May 16, 2000 - St. Croix River is designated as a Habitat Area of Particular Concern (HAPC) and Essential Fish Habitat (EFH) for Atlantic salmon
Maine Department of Inland Fisheries and Wildlife	State listed or proposed threatened or endangered species, known critical habitats, or other sensitive features or concerns	April 26, 2000 - expressed concern for a man-made bald eagle nest inside the study area and two nests outside the study area; wading bird habitat
Maine DEP - Air Quality	General letter requesting comments	No response received
Maine DEP - Land and Water Quality Control	General letter requesting comments	No response received

**Table V-1, Summary of Early Coordination Letters (cont'd)**

Agency/Organization	Information Requested	Information Received
Maine Geologic Survey	Location of groundwater wells and groundwater quality; wellhead protection areas and intake protection areas	November 9, 2000 -database shows no wells in the vicinity of Alt. 2, 2A or 3. Cautions that MGS results are not comprehensive December 27, 2000 - Information on bedrock wells in the study area
Maine DOC - Forest Service	General letter requesting comments	No response received
Maine DOC - Bureau of State Parks and Lands	Identification of parks, recreation areas, or lands purchased with funds from the Land and Water Conservation Fund	No response received
Maine Natural Areas Program	State listed or proposed threatened or endangered species, critical habitats, or other sensitive features or concerns	April 14, 2000 - no rare botanical features documented within the study area
Maine State Planning Office — State Floodplain Management Program	General letter requesting comments	May 8, 2000 - expressed an interest in receiving more detailed information and listed potential floodplain issues November 28, 2000 - sent information on floodplain management, floodplains in the study area, and relevant laws/regulations
Maine Department of Conservation Bureau of Parks and Lands	General letter requesting comments	April 18, 2000 - sent site plans of several federally-funded recreation projects that are protected under 6(f)(3)
Maine Department of Economic and Community Development - Office of Community Development	Floodplain and flood hazard or flood prone areas	No response received
Maine Department of Agriculture Soil and Water Conservation Commission	General letter requesting comments	No response received
Maine Department of Marine Resources	General letter requesting comments	June 15, 2000 - St. Croix provides Atlantic salmon habitat/migratory pathway, has stocked and native run of alewives
Maine Department of Human Services	Groundwater wells, surface water intakes, wellhead protection areas, intake protection areas	April 18, 2000 - sent map showing wells and wellhead protection areas within the Study Area
City of Calais	General letter requesting comments	No response received
Calais Regional Chamber of Commerce	General letter requesting comments	No response received

**Table V-1, Summary of Early Coordination Letters (cont'd)**

Agency/Organization	Information Requested	Information Received
Mayor of St. Stephen	General letter requesting comments	No response received
Sunrise County Economic Council	General letter requesting comments	April 14, 2000 - interested in seeing an alternative considered for a crossing south of Calais on Route 1
Waponahki Museum (Passamaquoddy Tribe)	General letter requesting comments	No response received
Maine Office of Tourism	General letter requesting comments	No response received
Maine Tourism Association	General letter requesting comments	June 20, 2000 — A new visitor center should accompany any new crossing. Maintain existing visitor center (Phone Call)
St. Croix Historical Society	General letter requesting comments	No response received
St. Croix International Waterway Commission	General letter requesting comments	No response received
Route 1 Coalition	General letter requesting comments	No response received
Maine Citizens for Increased Jobs and Safety	General letter requesting comments	No response received
International Joint Commission Advisory Boards for the St. Croix River	General letter requesting comments	No response received
Maine Environmental Priorities Council	General letter requesting comments	No response received
Maine Audubon Society	General letter requesting comments	June 14, 2000 - expressed interest in Alt. 2A



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## **APPLYING FOR A PRESIDENTIAL PERMIT FROM THE DEPARTMENT OF STATE**

### **Introduction**

This pamphlet describes the application process for Presidential Permits for the construction, operation, and maintenance of facilities on the U.S.-Mexico border. It is intended only to help Permit applicants better understand the Permit process, and does not constitute an exhaustive review of all steps that must be taken from concept development through construction. Permitting, construction, and completion of any project on the U.S.-Mexico border requires close coordination and planning with the Government of Mexico as well as with sponsors and federal, local and state authorities in both countries.

### **What is a Presidential Permit?**

Executive Order 11423, August 16, 1968 (33 Fed. Reg. 11741) states that "...the proper conduct of the foreign relations of the United States requires that executive permission be obtained for the construction and maintenance at the borders of the United States of facilities connecting the United States with a foreign country." Such permission is conveyed via a Presidential Permit. Permits are required for "the full range of facilities" on the border, including, *inter alia*, bridges, pipelines, tunnels, conveyor belts and tramways. Permit applications for most facilities at the border are processed by the Department of State, although other agencies do permit certain cross-border facilities under separate legal authority, as detailed on page 6. In processing permit applications, the Department of State is responsible for coordinating compliance with the National Environmental Policy Act (NEPA) of 1969 (42 U.S.C. Section 4321 *et seq.*), the National Historic Preservation Act (NHPA) of 1966 (16 U.S.C. Section 470f), and Executive Order 12898 of February 11, 1994 (59 Fed. Reg. 7629), concerning environmental justice. To issue a Permit, the Department must find that issuance would serve the national interest. The Department consults extensively with concerned federal and state agencies, and invites public comment in arriving at this determination.

### **Legal Authorities**

The State Department's legal authority to issue Presidential Permits for international bridges, oil pipelines and certain other transboundary facilities is found in Executive Order 11423 of August 16, 1968, as amended by Executive Order 12847 of May 17, 1993 (58 Fed. Reg. 29511) and, to the extent applicable, the International Bridge Act of 1972 (33 U.S.C. Section 535 *et seq.*).

### **Early Consultations Are Desirable**

Generally, applicants should consult as early as possible with all federal and state agencies likely to be affected by the proposed facility. Such consultations will allow the applicant to learn of possible questions or concerns at an early date. At the federal level, applicants will probably need to consult with the General

Services Administration, the Federal Inspection Services (the Immigration and Naturalization Service, the Customs Service, and the Animal and Plant Health Inspection Service of the Department of Agriculture), the Environmental Protection Agency, the Fish and Wildlife Service of the Department of the Interior, the Coast Guard (if the project is an international bridge), and the U.S. Section of the International Boundary and Water Commission, as well as the Department of State. At the state level, the applicant should consult with appropriate agencies, including those responsible for the environment, parks, wildlife, highways, and historic and cultural preservation.

### **How to Apply and What to Include in the Application**

Applications for Presidential Permits for international bridges and certain other transboundary facilities at the U.S.-Mexico border should be made to the Secretary of State, Attention: Coordinator for U.S.-Mexico Border Affairs, WHA/MEX, Room 4258 M.S., Department of State, 2201 C Street NW, Washington, D.C. 20520. Applicants should provide the Department five copies of the application and should be prepared to provide approximately 25 more copies directly to the Department or other federal and state agencies at the Department's request. Applications for oil or liquids pipelines should be made to the Office of International Energy and Commodities Policy, Mail stop EB/ESC/IEC, Department of State, 2201 C Street NW, Washington, D.C. 20520. Applications should generally include the following:

- ◆ **Identifying Information.** Information precisely identifying the person or entity applying for the permit. If the applicant is a county, municipality or other public body, the applicant should state its legal authority to make the application. The application should specify any intention on the part of the applicant at any time to transfer, sell or assign to any other entity the facility for which approval is sought.
- ◆ **Description of Facility.** A detailed description of the proposed facility, including its location, design, the safety standards to be applied, access routes and details of the proposed construction methods. The application should also include photographs of the construction site; maps that identify, *inter alia*, the parcel of land intended to be provided by the sponsor as a site for the border crossing, if applicable; engineering drawings including the anticipated cross-section, technical specifications and such other explanatory materials as are available.
- ◆ **National Interest.** An explanation of how, in the view of the applicant, the proposed facility would serve the national interest. This explanation may be supported by any reports, correspondence, and other material indicating the desirability and feasibility of the proposed facility.
- ◆ **Similar Facilities.** A list of similar facilities in the area including the names and addresses of their owners. Such facilities should be identified on a map.
- ◆ **Traffic Information.** If applicable, information about existing and projected levels of international road traffic and a description of the road system that would serve the facility on each side of the border. In the case of bridges, the application should project the volume of traffic to be carried by the proposed bridge, as well as the effect that traffic would have on, and its compatibility with, the existing road system and nearby bridges and border crossings. Maps showing

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U.S. and Mexican roads with traffic counts, weight or other use restricted routes, and any roads that would be built along with the facility would be helpful. These maps and other application materials should show from where the projected traffic is expected to come and the likely impact of any traffic diversion caused by the bridge on other border crossings. This information will help establish the required size of any inspection facility at the proposed bridge site.

- ◆ **Construction Plan.** An action plan for construction of the facility, including an expected schedule for securing other necessary permits and approvals, financing, and construction. The applicant should identify any specific problems anticipated in the development and construction of the facility along with an indication of how they might be resolved.

- ◆ **Financing.** An explanation of how the applicant will finance the facility, including estimated costs, and, if applicable, the proposed toll structure. If the facilities, including any access roads, will involve approval or funding from state or federal sources, the application should so specify and should indicate the steps that have been or will be taken to secure such approval and/or funding.

- ◆ **Mexican Approvals.** A description of all steps that have been or will be taken to secure the approval of local, state and federal officials in Mexico. The Government of Mexico has expressed its desire that applications for permits to construct cross-border facilities be made at more or less the same time in the two countries. The Permit applicant should indicate any known views of Mexican officials regarding the facility and describe general arrangements for financing, construction, and ownership of the Mexican portion of the facility. The applicant should attach copies of any agreements or understandings about these matters. According to the 1972 International Bridge Act, all required authorizations of the Government of Mexico must be obtained before an international facility may be constructed. It is not necessary to satisfy all Mexican requirements before applying for a Presidential Permit. However, to avoid the unnecessary expenditure of resources by both the U.S. Government and the applicant, the applicant should present evidence that Mexican authorities do not object to the construction of the proposed facility.

- ◆ **Other U.S. Approvals.** A list of all permits or approvals from U.S. federal, state, and local agencies that the applicant believes are required in connection with the proposed facility, and a description of what steps have been or will be taken to secure them.

- ◆ **Historic Preservation.** A list of all properties in the project area that are included in or potentially eligible for inclusion in the National Register of Historic Properties. Pursuant to the National Historic Preservation Act, the Department must consider the effects of the proposed facility on such properties and seek comment from the Advisory Council on Historic Preservation, an independent federal agency established under the NHPA. The Department also seeks comment from the appropriate State Historic Preservation Office.

- ◆ **Environmental Justice.** Information on minority and low-income populations likely to be affected by construction of the proposed facility. This information will assist the Department in fulfilling its obligations pursuant to Executive Order 12898 on environmental justice.

- ◆ **Compatibility with NEC Recommendations.** If applicable, information that shows that, consistent with the recommendations contained in the August 8, 1994 National Economic Council White Paper, "Staff Recommendations of the Task Force on Border Infrastructure and Facilitation for Improved U.S. Border Operations," (A) there are the commitments necessary to ensure an adequate support infrastructure, including access roads, consistent with state and regional plans; (B) Mexican development plans and priorities have been taken into account; and (C) a viable financing plan for inspection facilities and inspection agency staffing, as well as for the crossing itself, is in place.

### **Environmental Review**

In addition to the above, the applicant should include information about foreseeable environmental impacts of the proposed facility. Pursuant to NEPA, in considering an application for a Presidential Permit, the Department of State must take into account environmental impacts of the proposed facility and directly related construction. Environmental impacts may be direct, indirect, or cumulative. Prior to deciding whether to issue the Presidential Permit, the Department of State may be required to prepare, circulate for comment and file environmental documentation. Applications should include any environmental documentation applicants believe is required under NEPA and the regulations found in 40 CFR Parts 1500-1508, whether that is an environmental assessment (EA) or an environmental impact statement (EIS). If an EA is produced, it may be necessary, depending upon the finding of the Department of State, to produce an EIS.

### **Agency Review And Public Comment**

Once the application is completed, the Department of State will instruct the applicant to provide copies--including all environmental and other documentation --to other federal and state agencies, as appropriate, for their comment. The Department will also publish a notice in the Federal Register inviting public comment. If the proposed facility is located within or near an area declared to be a non-attainment area under the Clean Air Act, the Department must engage in additional consultation with the Environmental Protection Agency and appropriate state agencies concerning the level of environmental documentation required. Should questions from the agencies arise during the review, they will be referred to the applicant. The Department of State, participating agencies and the applicant will work together to resolve such questions, as appropriate.

The applicant may be required to prepare an amended application reflecting any agreements made in the course of mitigation and/or addressing agency concerns. The Department of State would then circulate the amended application for final agency review. If the Department of State determines that the project would have no significant environmental impact, the Department will issue a Finding of No Significant Impact (FONSI). The Department will publish the FONSI in the Federal Register. If a significant impact is found, a full environmental impact statement must be prepared before the Permit application may be considered further.

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**National Interest Criteria**

The Department is required to request the views of the federal officials specified in the Executive Orders, and may also seek to consult with such other federal, state, and local government officials as is appropriate. The Department takes all views expressed, including public comment, into account before making a decision on a permit. Once the consultations and findings referred to above have been made, the Secretary of State or the Secretary's designee will make a determination whether or not issuance of a permit to applicant would be in the national interest. If a positive determination is made, federal agencies are informed of the Department's intention to issue a Presidential Permit and, barring objection(s) from any of the officials specified in the Executive Orders, the Presidential Permit is issued 15 days thereafter. If such an objection is expressed, and cannot be resolved, the matter is referred back to the Secretary for referral of the application directly to the President for the President's consideration and a final decision.

**Other Necessary Approvals Prior to Authorizing Construction**

1. Under the provisions of the International Bridge Act of 1972 (22 U.S.C. 535, 535c-535h), the Coast Guard has jurisdiction over the construction, modification, operation and maintenance of any bridge connecting the United States with a foreign country. Applicants should consult with the Coast Guard directly regarding that agency's permit process.
2. Plans for construction of the proposed facility must be submitted to the International Boundary and Water Commission (IBWC), the U.S. section of which is located in El Paso, Texas, and the Mexican section in Ciudad Juarez, Mexico, for its approval. The IBWC will assess whether the effects of the facility will be consistent with existing bilateral arrangements between the United States and Mexico; will obscure or otherwise affect the boundary between the United States and Mexico; and, if applicable, will change the course of the Rio Grande or increase the risk of flooding.
3. Receipt of a Presidential Permit does not guarantee the availability of sufficient U.S. personnel to provide essential inspection services. If applicable, applicants should periodically consult with the Federal Inspection Services to keep abreast of staffing decisions that could affect the opening of the proposed facility.

**Bilateral Coordination with the Government of Mexico**

The Department of State coordinates closely with the Government of Mexico through the Secretariat of Foreign Relations (SRE) and the Embassy of Mexico on issues affecting the U.S.-Mexico border. The Department communicates with the Government of Mexico via diplomatic notes at various stages in the Permit process. For example, the Department generally informs the Government of Mexico via diplomatic note when Permit applications are received and when Permits are issued. Construction generally cannot begin until the U.S. and Mexican Governments exchange diplomatic notes specifically authorizing construction. The Department must approve any contractual arrangement between state or local authorities and Mexican federal, state, or municipal authorities concerning



construction of the facility prior to the exchange of notes authorizing construction. After notes are exchanged, permittees must keep the Department informed of all significant developments related to construction so that the Department may conduct the necessary bilateral coordination with the Government of Mexico.

### **Land Crossings**

Presidential Permits are generally not required for land crossings. However, proposals for new land crossings are evaluated through the same interagency process described above. Requirements for new land crossings are similar to those for projects requiring Presidential Permits, particularly with regard to environmental documentation.

### **Natural Gas Pipelines and Electrical Connections**

Although the Department of State processes permits for most cross-border facilities, there are some exceptions. Presidential Permits for electrical lines are processed by the Department of Energy, while Presidential Permits for natural gas pipelines are processed by the Department of Energy's Federal Energy Regulation Commission. Both Permits are issued under E.O. 10485 of 1953, as amended by E.O. 12038. Questions about Presidential Permits for electrical lines should be directed to the Department of Energy at (202) 586-9624; for natural gas pipelines, to the Federal Energy Regulation Commission at (202) 208-2245.

### **Presidential Permits for International Bridges Issued: 1976-present**

Presidio/Ojinaga Bridge, 1976  
Roma/Miguel Aleman Bridge, 1977  
Pharr/Reynosa III Bridge, 1978  
Mission/Reynosa Bridge, 1978 \*  
Donna/Rio Bravo Bridge, 1979 \*  
Ysleta/Zaragoza Bridge, 1987  
Colombia/Colombia Bridge, 1990  
Los Indios/Lucio Blanco Bridge, 1990  
Los Tomates/Matamoros III Bridge, 1993  
Laredo IV/Nuevo Laredo III Bridge, 1994 (amended 1999)  
Laredo/Nuevo Laredo Railroad Bridge, 1995 \*  
Eagle Pass II/Piedras Negras II Bridge, 1996  
Port of Brownsville/Matamoros Bridge, 1997 \*  
Anzalduas/Reynosa Bridge, 1999 \*

\* Pending Construction

\*\* Currently Under Construction

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### **More Information**

Questions about Presidential Permits for facilities at the U.S.-Mexico border should be directed to the Department of State's Office of Mexican Affairs in the Bureau of Western Hemisphere Affairs at the address below or at (202) 647-8529.

Coordinator for U.S.-Mexico Border Affairs  
WHA/MEX, Room 4258 MS  
Department of State  
2201 C Street NW  
Washington, DC 20520

Questions regarding Presidential Permits for oil and liquids pipelines should be directed to the Department of State's Office of International Energy and Commodities Policy in the Bureau of Economic and Business Affairs at the address below or at (202) 647-3423.

Office of International Energy and Commodities Policy  
Mail Stop EB/ESC/IEC  
Department of State  
2201 C Street NW  
Washington, DC 20520

Questions about Presidential Permits for facilities at the U.S.-Canada border should be directed to the Department of State's Office of Canadian Affairs in the Bureau of Western Hemisphere Affairs at the address below or at (202) 647-2170.

Economic Officer  
WHA/CAN, Room 3917 MS  
Department of State  
2201 C Street NW  
Washington, DC 20520

This information also available on the Internet at:  
[www.state.gov/www/regions/wha/fs\\_000103\\_border\\_permit.html](http://www.state.gov/www/regions/wha/fs_000103_border_permit.html)

Updated April 21, 2000

Searamex/border/permit

U.S. Department  
of Transportation

United States  
Coast Guard



Commander  
First Coast Guard District

Battery Park Building  
New York, NY 10004-5073  
Staff Symbol: obr  
Phone: (212) 668-7165  
FAX: (212) 668-7967

16591/14.0H/ST. CROIX  
RIVER/ME

May 22, 2000

Mr. William M. Plumpton  
Project Manager  
Gannett Fleming, Inc.  
P.O. Box 67100  
Harrisburg, PA 17106-7100

Dear Mr. Plumpton:

Your letter of 7 April 2000 concerning the Ferry Point International Bridge between Calais, Maine and St. Stephen, New Brunswick has been referred to our office for response.

The bridge crosses the St. Croix River, a navigable waterway of the United States, therefore, it is subject to Coast Guard Bridge permit jurisdiction. A Coast Guard bridge permit must be issued to authorize the proposed action. Since it appears that the Federal Highway Administration is to be the lead federal agency for the purpose of the National Environmental Policy Act (NEPA), our primary concern is for marine navigation through the bridge. We request that a section be included in the environmental assessment (EA) on navigation to include existing and prospective needs of navigation, both commercial and recreational.

This office will likely be a cooperating agency under NEPA and requests that we be contacted regarding any scoping meeting and for preliminary review of the EA.

Ernie Feemster of this office has been assigned the project manager and may be contacted at (212) 668-7994. If you have questions, please contact me at the number above.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary Kassof".

Gary Kassof  
Bridge Administrator  
First Coast Guard District  
By direction of the District Commander

Copy: 1) FHWA Maine Div. w/Gannett Fleming ltr dtd 7 April 2000 less/encls.  
2) Maine DOT w/Gannett Fleming ltr dtd 7 April 2000 less/encls.





United States Department of the Interior

FISH AND WILDLIFE SERVICE

Maine Field Office  
1033 South Main Street  
Old Town, ME 04468  
(207) 827-5938



To: Mr. William Plumptre  
Gannett Fleming  
207 Senate Avenue  
Camp Hill, 17011

May 22, 2000

Thank you for your letter requesting information or recommendations from the U.S. Fish and Wildlife Service. This form provides the Service's response pursuant to Section 7 of the Endangered Species Act (ESA), as amended (16 U.S.C. 1531-1543), and the Fish and Wildlife Coordination Act, as amended (16 U.S.C. 661-667d).

Re: Calais International Border Crossing/ Calais/ Washington  
Project Name/Location/County


April 7, 2000  
Date of Incoming Letter

00-0108  
Log Number

The federally-threatened bald eagle (*Haliaeetus leucocephalus*) is known to nest within the Study Area. There are no other federally-threatened or endangered species in this area.

A list of federally-listed species in Maine is enclosed for your information. Please contact the Maine Department of Inland Fisheries and Wildlife and Maine Natural Areas Program for an up to date account of state-listed species in the project area.

If you have any questions, please call Kim Tripp at (207) 827-5938.

  
Biologist Date

Washington County Soil and Water Conservation District  
P.O. Box 121  
Machias, Maine 04654  
(207) 255-4659 / 255-3995 ext. 3  
Fax. (207) 255-6817  
E-mail conservation@nemaine.com

William M. Plumpton, Project Manager  
Gannett Fleming, Inc.  
P.O. Box 67100  
Harrisburg, PA 17106-7100

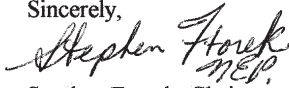
April 26, 2000

Dear Mr Plumpton:

The Washington County Soil and Water Conservation District is very interested in the environmental assessment evaluation, and impacts of the Calais - St. Stephen Area Border Crossing Study in Calais, Maine. Our main interests are within section B the Natural Environment.

When specific sites for each alternative are selected we would be happy to review and comment on those. In the meantime the District will provide soil survey information and other inventories as requested.

Sincerely,

A handwritten signature in cursive script that reads "Stephen Ftorek" with "MEP" written below it.

Stephen Ftorek, Chair  
Board of Supervisors



**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
NATIONAL MARINE FISHERIES SERVICE  
NORTHEAST REGION  
One Blackburn Drive  
Gloucester, MA 01930-2298

16 May 2000

William M. Plumpton  
Gannett Fleming, Inc.  
P.O. Box 67100  
Harrisburg, PA 17106-7100

Dear Mr. Plumpton:

I have been asked to respond to your letter to NMFS's Regional Administrator Patricia Kurkul, dated 7 April 2000, regarding the plan of study for the Calais-St. Stephen Area International Border Crossing.

#### **Essential Fish Habitat**

The St. Croix River has been designated by the New England Fishery Management Council as a Habitat Area of Particular Concern (HAPC) and Essential Fish Habitat (EFH) for Atlantic salmon (*Salmo salar*). "EFH" means those waters and substrate necessary to the federally managed fish species for spawning, breeding, feeding, and growth to maturity. The Magnuson-Stevens Fishery Conservation and Management Act requires that federal action agencies which propose to permit/license, fund, or otherwise take actions which may adversely affect designated EFH, to consult with NMFS (pursuant to MSFCMA §303(b)(4) and implementing regulations at 50 CFR 600.920 (62 FR 66555)). Accordingly, either the Federal Highway Administration (FHWA) or the General Services Administration (GSA), as the federal agencies modifying the facilities, or the US Army Corps of Engineers, as the permitting authority for activities impacting wetlands and waterways, will be required to make the determination as to whether the project is likely to result in adverse impacts to salmon EFH. If an adverse effect is likely, the lead federal action agency will be required to consult with NMFS to develop measures to avoid, to minimize, and/or to mitigate the adverse impacts.

The designation as HAPC is reserved for those habitats that are particularly rare, important, and/or vulnerable to anthropogenic impacts. The designation brings with it no additional statutory obligations, but it should serve to remind you and the action agencies of the care that should be taken to ensure this important habitat is not impacted by the project.

Any construction alternatives that involve work within ordinary high water of the St. Croix River or discharges into the river will have to be performed at a time of year when the activity will not affect the migration of Atlantic salmon. Furthermore, every effort should be made to avoid and minimize the effects of the activity on the river and the fish species that use the river.



**Additional Comments**

A new border crossing facility is likely to include acres of new pavement for staging and inspecting vehicles. The study should include a consideration of means of collecting and treating runoff from this pavement, from all roads to and from the site, and from all buildings in the facility. The study should address sediment traps and oil separators and other means of ensuring stormwater, wash water, ice and snow thaw, and other sources of runoff are clean before discharge off the facility.

The study should include a consideration of what facility managers will do with snow. Snow and ice should not be plowed into the river. The area where plowed snow and ice will be collected should be served by the runoff collection and treatment facilities discussed above.

The study should consider ways of maintaining and, to the greatest extent possible, increasing shoreline vegetation. Vegetated banks will help prevent bank erosion and will serve as a natural buffer to runoff. Bankside tree canopies can have significant beneficial effects on water temperatures.

I sincerely appreciate this opportunity to provide input into your study plan. I regularly attend the monthly Maine DOT Interagency Meetings and will continue to provide you with input regarding fishery resources as your project is discussed in that forum. Please contact me at (978) 281-9237 or at [Daniel.Morris@noaa.gov](mailto:Daniel.Morris@noaa.gov) should you wish to discuss these comments.

Sincerely,



Daniel Morris  
Environmental Officer

cc: ASC      Dube  
MDMR      Swan  
USFWS      Mahaney  
USEPA      Arsenault



Angus S. King, Jr.  
Governor

Lee E. Perry  
Commissioner

**DEPARTMENT OF INLAND FISHERIES AND WILDLIFE**

April 26, 2000

Wildlife Division  
68 Water Street  
Machias, ME 04654  
Phone: (207) 255-4715  
Fax: (207) 255-4451

Mr. William Plumpton  
Gannett Fleming Inc.  
P.O. Harrisburg, PA  
17106-7100

Re: Wildlife Habitat Information - Calais, St. Stephen Border Crossing

I have reviewed our files for occurrences of Significant and Essential Wildlife Habitats in the vicinity of Study Area that you identified in a recent information request. Within the Maine portion of the designated study area, the following wildlife habitats occur:

One Bald Eagle nest lies within the Study Area. That nest is on an artificial structure near U.S. Route 1 overlooking Maguerrewock Marsh. Because the nest is in a man-made structure, it is not formally designated and an Essential Habitat.

Two other recently-active bald eagle nests lie close to the project boundaries. One nest lies on the western shore of the St. Croix river in the vicinity of Baileys Rips. The other nest lies within the city limits of Calais in the vicinity of the Calais Golf Course.

The large complex of wetlands at the confluence of Maguerrewock Stream and the St. Croix river is considered a High/Moderate value, Wading Bird and Waterfowl habitat.

If there is any further assistance, please do not hesitate to call me at (207) 255-4715.

Sincerely,

A handwritten signature in dark ink, appearing to read "D. Welch".

Dwight Welch  
Wildlife Biologist

State House Station 41, Augusta, Maine 04333 -- *Offices Located at 248 State Street*



ANGUS S. KING, JR.  
GOVERNOR

STATE OF MAINE  
DEPARTMENT OF CONSERVATION  
22 STATE HOUSE STATION  
AUGUSTA, MAINE  
04333-0022

RONALD B. LOVAGLIO  
COMMISSIONER

November 9, 2000

Misty Johnson  
Gannett Fleming, Inc.  
P.O. Box 67100  
Harrisburg, PA 17106-7100

Dear Ms. Johnson,

A search of our bedrock well database did not return any located wells in the vicinity of proposed alternatives 2, 2A, and 3 for the Calais-St. Stephen International Border Crossing. This is most likely due in part to the availability of public water near alternative 3 and the fact that our database is not comprehensive, lacking information on many older wells in the area.

A review of the significant sand and gravel aquifer map for the Calais 7.5-minute quadrangle also did not provide any information on water supply wells near the proposed project sites.

However, as I mentioned above, our records *are not* comprehensive. There are almost certainly some private water supply wells in the vicinity of the proposed project sites (especially alternatives 2 and 2a) that we do not have information on.

If you have any questions, please feel free to give me a call at (207) 287-2801.

Sincerely,

A handwritten signature in dark ink, appearing to read "M. Loiselle", written over the typed name.

Dr. Marc Loiselle  
Hydrogeologist

NATURAL RESOURCES INFORMATION AND MAPPING CENTER  
ROBERT G. MARVINNEY, DIRECTOR AND STATE GEOLOGIST



PHONE: (207) 287-2801  
FAX: (207) 287-2353  
TTY: (207) 287-2213



STATE OF MAINE  
DEPARTMENT OF CONSERVATION  
22 STATE HOUSE STATION  
AUGUSTA, MAINE  
04333-0022

ANGUS S. KING, JR.  
GOVERNOR

RONALD B. LOVAGLIO  
COMMISSIONER

December 27, 2000

Misty Johnson  
Gannett Fleming, Inc.  
P.O. Box 67100  
Harrisburg, PA 17106-7100

Dear Ms. Johnson,

Enclosed is the information you requested on bedrock wells in the vicinity Calais to Baileyville, Washington County, Maine. A brief explanation:

The enclosed map shows all bedrock wells in our database that we have **located** through a visit to town offices to match our well ownership information with property tax records. This is a total of 5 wells in the area you indicated in your letter. The enclosed table lists the well depth, casing length, yield, etc. for these wells.

The hydrologic information on the enclosed sheets is as provided by the drillers - it has not been field checked. Also, our database is **not** comprehensive; there are certainly other wells in the area for which we have no information. We do have additional information on bedrock wells in the area that we have been unable to locate and some more recent information that we have not yet attempted to locate by a visit to the town offices (we last visited town offices in this area in 2000). If you would like to review this information, please let me know.

If you have any questions, please feel free to give me a call at (207) 287-2801.

Sincerely,

Dr. Marc Loiselle  
Hydrogeologist

MAINE GEOLOGICAL SURVEY  
ROBERT G. MARVINNEY, DIRECTOR AND STATE GEOLOGIST



PHONE: (207) 287-2801  
FAX: (207) 287-2353  
TTY: (207) 287-2213

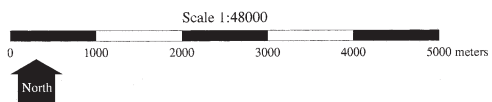
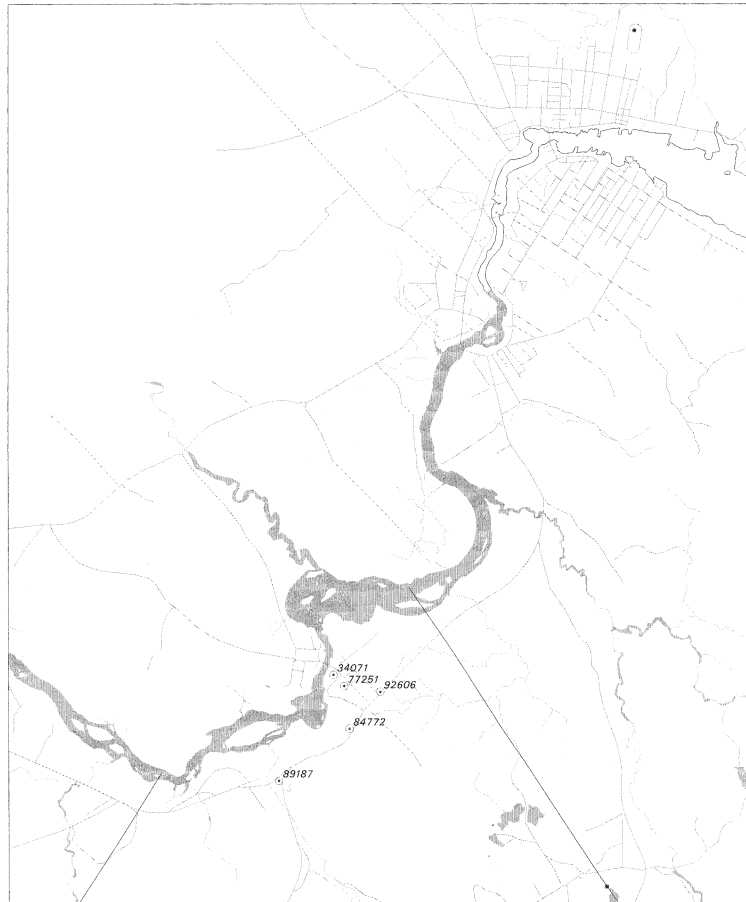
Maine Geological Survey - Water Well Database												Page	1
----- Bedrock Well Listing -----													
Well Number	County	MCD	Lastname	Location	Date drilled	Depth (ft)	Casing (ft)	Yield (GPM)	Overburden (ft)	Map	Lot		
34071	29	40	HOWLAND	BOON RD	08/01/67	112	9	7.50	-99	2	13	C	P
77251	29	40	MORESHEAD	FRONT STREET	02/27/98	80	36	30.00	25	2	7	O	P
84772	29	40	MORESHEAD	ROUTE 1	04/27/99	260	60	3.00	45	5	2	D	P
89187	29	40	GARDINER	OLD ROUTE 1	11/03/99	400	20	1.00	6	4	19	D	P
92606	29	40	TUPPER	ROUTE 1	05/11/00	300	56	3.00	45	2	53	O	P

-----

Values of -99, -999, and -99.99 indicate no information provided by the driller for these variables.



## Bedrock well locations and ids - Calais/Baileyville and vicinity, Maine



Data from the Department of Conservation, Maine Geological Survey Water Well Information System  
Map produced by the Department of Conservation, Maine Geological Survey



ANGUS S. KING, JR.  
GOVERNOR

STATE OF MAINE  
DEPARTMENT OF CONSERVATION  
159 HOSPITAL STREET  
93 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0093

RONALD B. LOVAGLIO  
COMMISSIONER

April 14, 2000

William M. Plumpton  
Gannett Fleming Inc.  
P.O. Box 67100  
Harrisburg, PA 17106-7100

Re: Rare and exemplary botanical features, Calais-St. Stephen International Border Crossing, Calais

Dear Mr. Plumpton:

I have searched the Natural Areas Program's Biological and Conservation Data System files in response to your request of April 13, 2000 for information on the presence of rare or unique botanical features documented from the vicinity of the project site in the town of Calais, Maine. Rare and unique botanical features include the habitat of rare, threatened, or endangered plant species and unique or exemplary natural communities. Our review involves examining maps, manual and computerized records, other sources of information such as scientific articles or published references, and the personal knowledge of staff or cooperating experts.

Our official response covers only botanical features. For authoritative information and official response for zoological features you must make a similar request to the Maine Department of Inland Fisheries and Wildlife, 284 State Street, Augusta, Maine 04333.

According to the information currently in our Biological and Conservation Data System files, there are no rare botanical features documented specifically within the project area. This lack of data may indicate minimal survey efforts rather than confirm the absence of rare botanical features. You may want to have the site inventoried by a qualified field biologist to ensure that no undocumented rare features are inadvertently harmed.

If a field survey of the project area is conducted, please refer to the enclosed supplemental information regarding rare and exemplary botanical features documented to occur in the vicinity of the project site. The list may include information on features that have been known to occur historically in the area as well as recently field-verified information. While historic records have not been documented in several years, they

NATURAL RESOURCES INFORMATION AND MAPPING CENTER  
ROBERT G. MARVINNEY, DIRECTOR AND STATE GEOLOGIST



PHONE: (207) 287-8044  
FAX: (207) 287-8040  
TTY: (207) 287-2213

may persist in the area if suitable habitat exists. The enclosed list identifies features with potential to occur in the area, and it should be considered if you choose to conduct field surveys.

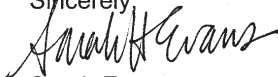
This finding is available and appropriate for preparation and review of environmental assessments, but it is not a substitute for on-site surveys. Comprehensive field surveys do not exist for all natural areas in Maine, and in the absence of a specific field investigation, the Maine Natural Areas Program cannot provide a definitive statement on the presence or absence of unusual natural features at this site.

The Natural Areas Program is continuously working to achieve a more comprehensive database of exemplary natural features in Maine. We would appreciate the contribution of any information obtained should you decide to do field work. The Natural Areas Program welcomes coordination with individuals or organizations proposing environmental alteration, or conducting environmental assessments. If, however, data provided by the Natural Areas Program are to be published in any form, the Program should be informed at the outset and credited as the source.

The Natural Areas Program has instituted a fee structure of \$75.00 an hour to recover the actual cost of processing your request for information. You will receive an invoice for \$75.00 for our services.

Thank you for using the Natural Areas Program in the environmental review process. Please do not hesitate to contact me if you have further questions about the Natural Areas Program or about rare or unique botanical features on this site.

Sincerely



Sarah Evans  
Information Manager

Enclosures



ANGUS S. KING, JR.  
GOVERNOR

STATE OF MAINE  
EXECUTIVE DEPARTMENT  
STATE PLANNING OFFICE  
38 STATE HOUSE STATION  
AUGUSTA, MAINE  
04333-0038

EVAN D. RICHERT, AICP  
DIRECTOR

May 8, 2000

William M. Plumpton  
Gannett Fleming, Inc.  
PO Box 67100  
Harrisburg, PA 17106-7100

Re: Calais- St. Stephen Area International Border Crossing Study, Calais, Maine

Dear Mr. Plumpton:

I have reviewed the letter you sent to Mr. Louis Sidell, Jr. on April 7th, regarding the above project. We appreciate the opportunity to be involved in the review and comment of this project as it may affect the floodplain resources of the St. Croix River in the vicinity of this border crossing.

The information and map which accompanied your letter are not detailed enough to allow us to provide specific floodplain management comments. We would be interested in receiving more detailed information (text and scaled site plans) on the various proposed development aspects of the project which are in close proximity to the river. Also please indicate if any federal funding is anticipated for this project. This will enable us to identify the various flood zones which may be impacted and offer insight as to what flooding issues may need to be examined regarding this project. Following a review of the additional materials which you supply, we will be able to address such potential issues as:

- \* Requirements under Executive Order 11988 - the eight-step process;
- \* FEMA's recognition of Maine's self-insurance plan which contains standards for state-owned properties, which is based on Maine's Model Floodplain Management Ordinance and is adopted by NFIP participating communities in Maine.
- \* Development within the floodway and associated requirements for engineering studies;
- \* Requirements associated with any alteration/relocation of a watercourse;
- \* Development standards for new construction or substantial improvement to structures within the FEMA delineated floodplain;

I will be awaiting the receipt of the additional materials requested. If you have any questions or comments in regard to my request or the above information, do not hesitate to contact me at (207) 287-8052.

Sincerely,

*Bonnie C. Boulter*

Bonnie C. Boulter, Planner  
Maine Floodplain Management Program

cc: Mr. Kevin Rousseau, MDOT



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PHONE: (207) 287-3261

OFFICES LOCATED AT: 184 STATE STREET  
Internet: [www.state.me.us/spo](http://www.state.me.us/spo)

FAX: (207) 287-6489



ANGUS S. KING, JR.  
GOVERNOR

STATE OF MAINE  
EXECUTIVE DEPARTMENT  
STATE PLANNING OFFICE  
38 STATE HOUSE STATION  
AUGUSTA, MAINE  
04333-0038

EVAN D. RICHERT, AICP  
DIRECTOR

November 28, 2000

Misty M. Johnson, Project Specialist  
Gannett Fleming  
P.O. Box 67100  
Harrisburg, PA 17106-7100

Re: Calais-St. Stephen Area International Border Crossing Study

Dear Ms. Johnson:

Thank you for responding to Bonnie Boulter's letter dated May 8, 2000. I have reviewed the information you provided and offer the following comments:

Alternative 2 and 2A are in the Town of Baileyville and the site in question is located on Panel 15 of the Baileyville Flood Insurance Rate Map (FIRM) with the effective date of April 15, 1982.

Alternative 3 is in the Town of Calais and the site in question is located on Panel 5 of the Calais FIRM with the effective date of August 3, 1994.

The boundaries of Alternative 2 and 2A fall outside the 100 year floodplain of the St. Croix River at the point where the base flood elevation (bfe) is between 95 and 96 feet NGVD and also outside the floodplain of Stony Brook. The exact elevation is difficult to determine without the scale on the site maps provided.

The boundaries of Alternative 3 also fall just outside the floodplain of the St. Croix River at the point where the bfe falls between 79 and 80 feet NGVD. Again the exact determination is difficult without the site map scale.

Portions of both alternatives indicate roadways that go beyond the boundaries of the site and these road extensions/bridges will fall within the Special Flood Hazard Areas as identified on the two community FIRMs. This does suggest that the road work and bridges are subject to review under the terms of the Federal Executive Order (E.O.) 11988 as well as the floodplain management ordinances in both communities while the specific sites outlined in your submittal would not necessarily be considered floodplain development.

Federal Executive Order 11988 requires all projects that involve the expenditure of Federal funds to be reviewed in light of flooding potential and be located outside the Special



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PHONE: (207) 287-3261

OFFICES LOCATED AT: 184 STATE STREET  
Internet: [www.state.me.us/spo](http://www.state.me.us/spo)

FAX: (207) 287-6489

Flood Hazard Area if possible, or employ flood hazard mitigation to the greatest extent possible by meeting the requirements of the National Flood Insurance Program (NFIP). If a community has adopted a compliant Floodplain Management Ordinance (FPMO), this can be accomplished to a large extent by properly reviewing and permitting the development as required under that community's FPMO. The Towns of Baileyville and Calais both participate in the NFIP and have Floodplain Management Ordinances that establish development standards.

Executive Order 11988 requires the following for all projects that involve the expenditure of Federal funds in a floodplain:

- To be reviewed for their potential to affect or be affected by a floodplain;
- To consider alternatives and be located outside a Special Flood Hazard Area unless there is no other practicable alternative;
- To be designed or modified to minimize the potential for loss or harm; and,
- To involve public notification and review.

If the only practicable alternative requires siting a project in the floodplain, flood hazard mitigation methods are to be employed to the greatest extent possible to avoid and reduce future flood losses, to minimize the effect of floods on human health, safety and welfare, and to protect the natural and beneficial functions of the floodplain.

As required by the E.O., federal agencies (such as FEMA, HUD and USFHA) have developed regulations and procedures to assure compliance with the Order. In 1987 the Interagency Task Force on Floodplain Management prepared a training document entitled, "Further Advice on Executive Order 11988 Floodplain Management", for the purpose of assisting all agencies with implementing the E.O. I am enclosing a copy of this document for your reference. The executive order can be found at FEMA's web site: <http://www.fema.gov/library/eo.htm>

Both alternatives will involve a bridge crossing and these typically require some development in the Regulatory Floodway. Both communities have designated Regulatory Floodways identified in their Flood Insurance Studies. The development standards for floodways require that new development can cause no additional rise in the base flood elevations. If the development is to cause a rise in the bfe or change the flow characteristics, the applicant must follow a Map Revision process as outlined in NFIP Regulation found at 44 CFR, part 65.12., and the local Flood Hazard Development Permit may not be issued prior to FEMA's review.

These matters need to be addressed not only through the requirements of the Baileyville and Calais Floodplain Management Ordinances but also with FEMA.

The following comments are also offered in regard to this floodplain development:

1. To reduce the potential for flooding damage, all equipment and materials needed for completion of the project that is in the Special Flood Hazard Area should be available

before the project is commenced, be stored outside the designated floodplain, and the work completed in the shortest time possible.

2. Sound erosion and soil stabilization practices should be followed during construction, and the floodplain portion of the project site should be restored to its original contour except for those portions of the project involving fill or regrading which have been reviewed and permitted under the community's FPMO.
3. Any fill that may be proposed to be added in the course of reshaping the site must be placed so that it will not impede the conveyance of the base flood or deflect flood water in such a way that would adversely impact adjacent development.

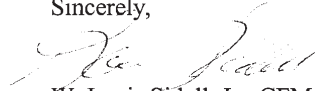
As more information is available on the actual river crossings we will provide additional review and comment.

In response to your request for more information on the bulleted items in Bonnie's letter to you dated May 8, 2000, I am sending the enclosed materials:

- E.O. 11988
- Further Advise on Executive Order 11988 Floodplain Management in which you will find the eight step process discussed starting on page 38.
- Maine's self insurance program, which applies to state owned development, is administered by the Department of Administrative and Financial Services (DAFS). The Director of the Risk Management Division is David Fitts. The phone number for his office is (207) 287-2341.
- Floodway development requirements are embodied in the NFIP Regulation at 44 CFR part 60.3(d) and further remapping requirements, if applicable, are found at 44 CFR 65, with 65.7 and 65.12 likely being the most relevant sections. The development standards of the communities' Floodplain Management Ordinance should reflect the language of the model ordinance I am also enclosing. See Article VI.§K on page 10 and 11.
- Requirements associated with alteration and relocation of a watercourse can be found at 44CFR Part 60.3(b)(6)(7) and Part 65.3, 65.5, 65.8, 65.12.
- Development standards for new construction and substantial improvements in a 100-year floodplain can also be found in 44CFR Part 60.3. We use this language for the framework of the Maine model floodplain management ordinance. Please refer to Article VI starting on page 6 of the model ordinance.

Thank you for the opportunity to review and comment. If you have any questions or comments on the above, please call me at your earliest convenience. My direct phone number is (207) 287-8063.

Sincerely,



W. Louis Sidell, Jr., CFM  
State Floodplain Management Coordinator

Cc: Mr. Kevin Rousseau, MDOT  
FEMA Region I  
Judith Alexander, Town Manager, Town of Calais  
Jack Clukey, Town Manager, Town of Baileyville





ANGUS S. KING, JR.  
GOVERNOR

STATE OF MAINE  
DEPARTMENT OF CONSERVATION  
22 STATE HOUSE STATION  
AUGUSTA, MAINE  
04333-0022

RONALD B. LOVAGLIO  
COMMISSIONER

April 18, 2000

William M. Plimpton  
Project Manager  
Gannett Fleming, Inc.  
PO Box 67100  
Harrisburg, PA 17106-7100

Dear Mr. Plimpton:

In response to your request for information on federally-protected property in the City of Calais, I am forwarding copies of site plans showing locations of several recreation projects which were funded with assistance from the Land & Water Conservation Fund. I have also located these sites on your Project Area map and on a street map of the city.

The LWCF program is federally funded through the Department of the Interior, National Park Service. Because of the federal funding source, these sites are under what is referred to as 6(f)(3) protection and must remain in recreational use.

Please let me know if you have any further need for information regarding these sites.

Sincerely yours,

Mike Gallagher, Manager  
Grants & Community Recreation

BUREAU OF PARKS AND LANDS  
THOMAS A. MORRISON, DIRECTOR



PHONE: (207) 287-3821  
FAX: (207) 287-3823  
TTY: (207) 287-2213



ANGUS S. KING, JR.  
GOVERNOR

STATE OF MAINE  
DEPARTMENT OF  
MARINE RESOURCES  
21 STATE HOUSE STATION  
AUGUSTA, MAINE  
04333-0021

GEORGE D. LAPOINTE  
COMMISSIONER

June 15, 2000

William M. Plumpton  
Gannett Fleming, Inc.  
P.O. Box 67100  
Harrisburg, PA 12106-7100

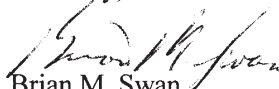
RE: Calais – St. Stephen International Border Crossing Study (PIN: 8483.00)

Dear Mr. Plumpton:

Thank you for your request of April 7, 2000 for comments or information.

DMR concurs with concerns raised by NMFS in their May 16, 2000 letter to you. In addition to providing Atlantic salmon habitat and migratory pathway the St. Croix also currently has a small stocked and native run of alewives (*Alosa pseudoharengus*). Additional time of year restrictions for in-stream work would need to be considered for this species as well.

Sincerely,

  
Brian M. Swan  
Environmental Coordinator

Cc: Dan Morris, NMFS  
Norm Dube, ASC  
Steve Timpano, IF&W



PRINTED ON RECYCLED PAPER

PHONE: (207) 624-6550

OFFICES AT STEVENS SCHOOL COMPLEX, HALLOWELL

TTY (207) 287-4474

<http://janus.state.me.us/dmr>

FAX: (207) 624-6024



ANGUS S. KING, JR.  
GOVERNOR

STATE OF MAINE  
DEPARTMENT OF HUMAN SERVICES  
DIVISION OF HEALTH ENGINEERING  
10 STATE HOUSE STATION  
AUGUSTA, MAINE  
04333-0010

KEVIN W. CONCANNON  
COMMISSIONER

April 18, 2000

William M Plumpton  
Gannett Fleming, Inc  
PO Box 67100  
Harrisburg, PA 17106-7100

Subject: Calais EIS

Dear Mr. Plumpton:

Attached are two maps identifying public water supplies in or near your study area. In addition to these mapped wells, the City of Calais is served by a municipal water supply. This supply has been provided by an interconnection with St. Stephen in the past. Calais has recently developed a gravel packed well in the Moosehorn Wildlife Refuge, and is planning to connect it to the system this summer. That well is outside your study corridor, and does not yet show on our map database. Please let me know if you would like more information on Calais' new water supply, or additional data on the smaller public water supplies located on the map.

It is likely that there are also private water supplies within your study area. Some of them may be in the Maine Geological Survey's well database. However, some may require field location. Marc Loiselle at the Maine Geological Survey, Station 22, Augusta can provide you with more informaton.

Sincerely,

Andrews L. Tolman  
Manager, Source Water Protection

enc.



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SUNRISE  
COUNTY  
ECONOMIC  
COUNCIL

April 14, 2000

William Plumpton  
Gannett Fleming, Inc.  
PO Box 67100  
Harrisburg, PA 17106-7100

Dear Mr. Plumpton:

I'm writing to let you know about a public hearing on a study to site a third border crossing between Calais and Ste. Stephen, NB., and to ask your support in broadening the scope of this important study.

As currently planned, the study will consider a location for a crossing in an area from the intersection of Route 9 to downtown Calais. (See enclosed map.) It is possible some sites in this area may be suitable. There is also interest in locating a crossing south of Calais on Route 1. (See enclosed articles.) However, in order to consider this location, the study area will need to be expanded.

The location of this third crossing is vitally important to Calais, as well as the rest of Washington County. The best location should maximize economic benefits as well as reduce traffic congestion. All suggested locations should be explored, in order to finally resolve this issue.

We feel conducting the study without considering an area south of Calais on Route 1 as a possible location will leave this issue in question, which may erode public support and jeopardize the ultimate success of the project.

The hearing will be conducted by Maine Department of Transportation. They will be presenting information on the border crossing study, opening the floor to public comments, and answering questions from all interested parties. The meeting will be held Wednesday April 26, 2000, 7 p.m. at the Washington County Technical College Lecture Hall in St. Croix Hall, Calais.

If you cannot attend the public hearing, please contact the Maine Department of Transportation, and urge them to increase the study area, and identify the best of *all* alternatives. You can contact MDOT by writing to Mr. Kevin Rousseau, Transportation Planning Specialist, Maine Department of Transportation, 16 State House Station, Augusta, ME 04333-0016, (207) 287 2841 or Mr. Brian McEwing, Director, Planning and Land Management, New Brunswick Department of Transportation, P.O. Box 6000, Fredericton, New Brunswick, Canada E3B 5H1, (506) 453-2754. You can submit comments and get more information by visiting the project web page at <http://www.nbdot-mdot-bordercross.com>.

Thank you for helping us ensure a complete study, and a well-informed location process.

Cordially,

Dianne Tilton  
Executive Director

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John Dudley, President  
Schoodic Chapter of Maine Audubon Society  
216 Pokey Road  
Alexander ME 04694

William M. Plumpton, Project Manager  
Gannett Fleming  
P. O. Box 67100  
Harrisburg PA 17106-7100

June 14, 2000

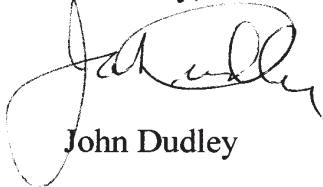
Dear Mr. Plumpton:

The board of this chapter met on June 13<sup>th</sup> and have the following comments concerning the proposed third bridge across the Saint Croix River in the Calais, Maine / St. Stephen, New Brunswick area.

We feel the bridge should be placed north of the built-up area to avoid Moosehorn National Wildlife Refuge and the proposed site of the water wells for the City of Calais. This would route truck traffic directly to Maine Route 9, which is the route of choice for east / west traffic. Also, the Barn Meadow and Magurrewoc wildlife areas of Moosehorn would have much less truck traffic.

We feel the bridge should be for commercial vehicles only. At present, US Customs has a user fee for commercial vehicles. A toll could be added to this fee. We feel that only vehicles having paid those fees should use the bridge and inspection facilities. This would keep tourist traffic flowing through the commercial districts of St. Stephen and Calais; thus maintaining the economic base for the businesses there, and discouraging sprawl along the highway.

Sincerely,



John Dudley